



BALLEW COVALT HAZEN PC, LLO
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April 20, 2015

jackson.robertw@epa.gov

Robert W. Jackson, Acting Director
US Environmental Protection Agency, Region 7
11201 Renner Blvd.
Lenexa, KS 66219

Dear Mr. Jackson:

In response to your letter of April 9, 2015 concerning the draft Administrative Settlement Agreement and Order on Consent for Removal Action, I wish to advise you that the City of Beatrice is willing to negotiate concerning such settlement agreement provided and on condition that BNSF Railway Company and Centel Corporation are also willing to negotiate in good faith in order to obtain and execute an acceptable settlement agreement.

I hope this is an adequate response to your request. If you have additional questions, please contact me.

Sincerely,

Victor E. Covalt III
Counsel for City of Beatrice

cc: Stan Wirth, Mayor-City of Beatrice
Ms. Brooke Gaede-BNSF Railway Company
Scott Young-Counsel for Centel Corporation
Tobias Tempelmeyer-City Administrator
Erin Weekley, Attorney
Mike Felix, NDEQ

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